John M. Reed, Appellant
P. O. Box 1544
Eugene, Oregon 97440

80-5451

UNITED STATES SUPREME COURT
Term 1980

NO.

RECEIVED
AUG 18 1980
OFFICE OF THE CLERK
SUPREME COURT, U.S.

JOHN M. REED, Appellant
vs.
DEL CHEMICAL CORPORATION Respondent;

JOHN M. REED, Appellant,
vs.
OREGON SUPREME & COURT OF APPEALS Defendant.

APPEAL TO THE OREGON SUPREME COURT AND COURT OF APPEALS *********

APPELLANT JOHN M. REED consolidates two issues In the Matter of Reed v. Del Chemical Corporation CA11078 & SC26938 44 OrApp 79(1980) of real & implied state statutes repugnant to the U. S. Constitution, for U. S. Supreme Court appeal review:

1. Denial of equal protection & due process of Oregon Workers Compensation Laws in force as of date of 3/10/70 compensable injury.

2. Unauthorized 7/21/80 Oregon Court of Appeals $132.00 cost & disbursements Judgment-Mandate against claimant Reed.

APPELLANT requests this court vacate the state court judgments.

JURISDICTION

REED files less then 90 days from 5/20/80 & 7/9/80 Oregon Supreme Court judgment-rullings and jurisdiction herein is 28 USC 1257(2).

QUESTIONS PRESENTED

OREGON'S APPELLANT COURT'S have refused findings of fact & conclusions of law de novo review of REED'S case(s) merits and refused to answer REED'S demands for their legal authority to deny him:

1. Laws in effect as of his injury date and agency hearing, ie, code-law; de novo circuit & appellant court review; reply briefs; reasons for denied motions; oral arguments; findings & law; ... .

2. Workers Compensation claim review free of unauthorized costs.

IS THE OREGON APPELLANT COURTS POSITIONS NOT REPUGNANT TO THE STATUTORY AND CONSTITUTIONAL PROVISIONS INVOLVED?

CONSTITUTIONAL PROVISION

U. S. Constitution Article 6 (supreme law/state judges bound); Articles 1, 2 & 3 (seperations of powers); Article 1(10) (ex post facto laws/laws impairing contracts); Article 4(1) (full faith ..); Amend. 1 (speech/petition); Amend. 5 (due process/comp. for property)

Amend. 7 ($20.00 jury trial); Amend. 9; 10 (people rights); and Amend 14(1) (privileges & immunities; due process; equal protection)

Oregon Constitution Article1(1)people have inerent power and are equal); Article 1(8) (free speech); Article 1(10) (justice without purchase, complete, without delay/due course of law/property); Article 1(17) (jury trial in civil cases); Article 1(20) (equal privileges-immunities); Article 1(21) (no ex post fact laws or law impairing contracts); Article 3(1) (seperation of powers); Article 7(1) (judicial power vested in courts).

FACTS

April 26, 1978 the Oregon Workers Compensation Review Board reversed their Administrative Law Judge's July 29, 1977 aggravation hearing award concerning REED'S 3/10/70 compensable back injury.

Effective September 1, 1977, Section 65 Oregon Laws Chapter 804, transfered circuit court reviews of workers compensation cases to the Oregon Court of Appeals. (ORS 656.295(8); 656.298 (1977))

REED'S original injury and subsequent aggravation hearing both proceeded said September 1, 1977 law change date. And both code laws and comon laws protect his rights to laws in force as of the date of his original 3/10/70 compensable injury claim, ie, ORS 656.202; Eastman v. Clackamas 32 Fed 32 Ann Code & Stat. of Ore. Sec. 1-2304 Vol 1 (1902); Lisoski v The Embers 2 OrApp 60 (1970); Rosell v. S.I.A.C. 164 Or 173 (1940); Meaney v. S.I.A.C. 115 Or 484 (1925).

Coday v. Willamette Tug 250 Or 39 (1968); Hannan v. Good Samaritan 4 OrApp 178 (1970); Roles v. Bergerson 142 Or 131 (1933); Hoffmeister v. SIAC 176 Or 216 (1945) exhibit constitutional and statutory grounds mandating judicial review of administrative workers compensation orders .. de novo.

In the Matter of Reed CA11078; SC26938 (1980) was not only denied ORS 656.298(1970) circuit & ORS 656.301(1970) appellant de novo court reviews, with findings of fact & conclusions of law, but was

charged ORS Chapter 656 statutorally unauthorized court costs, notwithstanding that workers compensation laws are in derogation to other code laws and comon law, Vol. 99 C.J.S. Sec. 6 Page 51.

Although circuit court reviews of workers compensation board cases always included de novo review; findings of fact & conclusions of law; reasons for denied motions; reply briefs; oral arguments; adherence to code-law without undue comon-law additions .. the Oregon Court of Appeals and Supreme Court refuse to carry these duties into effect for REED, or allow a circuit court review, or give their reasons for said simple justice denials.

REED contends his constitutional; workers compensation; contract; vested and property rights are being violated by Oregon appellant courts twisting of statutes and refusal to respond to REED'S legal pleadings, which seek to find the courts authority for said denials.

CONCLUSION

REED seeks this courts appeal review Order the state court vacate judgments in the aforesaid case and proceed with a new judicial review under the laws in effect as of the date of REED'S 3/10/70 original compensable back injury.

BY /s/ John M. Reed, Appellant
P. O. Box 1544
Eugene, Oregon 97440

SUPREME COURT COURT of APPEALS

LOREN D. HICKS
State Court Administrator
378-6046

ADMINISTRATIVE OFFICE
SUPREME COURT BLDG.
SALEM, OREGON 97310

Telephone Area Code 503
Re Cases on Appeal 378-6035
Legal Counsel 378-6032
Oreg. Reports Editor 378-2002

July 9, 1980

THERE IS NO STATUTORY & LEGAL BASIS TO THIS COSTS EITHER!

Mr. John M. Reed
Box 1544
Eugene, Oregon 97440

Re: Reed v. Del Chemical Corporation
CA 11078

Dear Mr. Reed:

On May 19, 1980, the Court of Appeals denied your objections to the respondent's cost bill in the above-entitled case. On May 28, you submitted a motion "In the Supreme Court of the State of Oregon" to reverse or vacate the Court of Appeals' decision on your objections to costs.

The Supreme Court has today denied this latter motion on the ground that there was no basis in law for such a motion; consequently, the court did not reach or decide the merits of your motion.

Very truly yours,

David Gernant
Legal Counsel

DG:dj

cc: Mr. Richard W. Butler

7/10/80

JUSTICE TONGUE—
PLEASE RECONSIDER THE ABOVE "MOTION" AS YOU DID IN THE ATTACHED 12/12/79 "MOTION TO RECALL MANDATE."
CLEARLY! IF THE ON'E MOTION WAS VALID, THIS MOTION HAS LEGAL GROUNDS.
YOUR REFUSE TO JUDICIALLY REVIEW MY COST COMPENSATION DAS AND RULE ON SEVERAL LEGAL QUESTIONS — AND NOW TRY TO TWIST FROM RULING ON PUNISHING ME WITH UNSTATUTORALLY DEMANDED COURT COSTS ?

J.M. REED
P.O. BOX 1544; EUGENE, OR.

SUPREME COURT

COURT of APPEALS

LOREN D. HICKS
State Court Administrator
378-6046

ADMINISTRATIVE OFFICE
SUPREME COURT BLDG.
SALEM, OREGON 97310

Telephone Area Code — 503

Re Cases on Appeal 378-6035
Legal Counsel 378-6032
Oreg. Reports Editor 378-2602

May 21, 1980

John M. Reed
P. O. Box 1544
Eugene, OR 97440

Re: Reed vs. Del Chemical Corp.
CA 11078 SC 26938

Dear Mr. Reed:

The Supreme Court on May 20, 1980, denied Appellant's Petition for Review in the above-entitled matter.

Very truly yours,

Marilyn Hartley

Marilyn Hartley
Supreme Court Calendar Clerk

MH/vr
cc: Richard Butler

IN THE COURT OF APPEALS OF THE STATE OF OREGON

Case Name:

In the Matter of the Compensation of

John M. Reed, Claimant

(Petitioner)

v.

Del Chemical Corporation,

(Respondent)

11078 (CA No.) | (Circuit Court No.) | (District Court No.)

County _____ Judge _____

WCB #77-75 (Agency No.) Judicial Review from Workers' Compensation Board

Date argued _____ Date submitted on briefs November 20, 1979

Before Richardson, Presiding Judge, and Joseph and Roberts, Judges.

John M. Reed, P. O. Box 1544, Eugene, (Name) — Petitioner (Attorney Pro se)

Richard W. Butler, Eugene (Name) — Respondent (Attorney for)

Date affirmed from the bench and date filed _____

Date affirmed without opinion (ORS 19.130) and date filed January 21, 1980.

John M. Reed
P. O. Box 1544
Eugene, OR 97440

Re: Reed vs. Del Chemical Corp.
CA 11078 SC 26938

Dear Mr. Reed:

The Supreme Court on May 20, 1980, denied Appellant's Petition for Review in the above-entitled matter.

Very truly yours,

Marilyn Hartley
Supreme Court Calendar Clerk

MH/vr
cc: Richard Butler

Notice of appeal
filed 8-18-80
confirmed by telephon

CERTIFIED MAIL NO. P116553197

P. O. Box 1544 Eugene Oregon 97440
Friday May 23, 1980

RECONSIDERATION AND
NOTICE OF APPEAL

To: Oregon Supreme Court Justice Linde:

You and the other justices are hereby requested to reconsider the above captioned cases denial on the grounds (1) no other layma has suffered more from the Oregon State Bar Association malicious vexation, as seen in the record of this case; (2) a verbal ex part communication between this court, Bar members and Travelers-Del Chemical lawyers, along with Oregon workers Compensation Deapartme officials, have conspired to defeat my case claim for compensation (3) employer failed to answer my prima facia motion claim they whe without jurisdiction in this case due to there lack of insurance coverage at the time of my compensable claim; (4) my case is uniq inthat public issues where raised as to contractual rights; oral argument rights; de novo review rights; and I was denied findings from the Court of Appeals when they supported reversal of my award aggravation rights; (5) not all the justices ruling in my cases wh elected as constitutionally mandated and (6) I have been denied th United States Constitutional 14th. Amendment rights~~articles~~ to th laws in effect as of the time of my compensatable injury ORS 656.2 and a sea of other constitutional rights, the justices are charged by oath to know, and that I will take on appeal should this court refuse me reconsideration

Said appeal will be in forma pauperis per 28 USC 1257(2) and transmisson of this case record to the US Supreme Court, certifed, is hereby requested should you deny my reconsideration chance to turn around the politics of the Oregon State Bar Association.

I need your help before all faith and trust in our judicial system is distroyed.

John M. Reed
Petitioner-Appellant

cc: parties

cert. true copy by.